



W.P.No.20181 of 2023

WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 26.09.2023

CORAM :

THE HON'BLE MR.SANJAY V.GANGAPURWALA, CHIEF JUSTICE

AND

THE HON'BLE MR.JUSTICE P.D.AUDIKEVALU

W.P.No.20181 of 2023

J.Krishnakumar

.. Petitioner

Vs.

1. The Principal Secretary
Housing & Urban Development Department
Fort St. George, Secretariat
Chennai 600 009.

2. The Director
Municipal Administration
75, Urban Administrative Building
Santhome High Road, MRC Nagar
Raja Annamalaipuram
Chennai 600 028.

3. The Deputy Director of Town and Country Planning
2nd Floor, Dr. Nanjappa Road
Gopalpuram, Coimbatore 641 018.

4. The Commissioner
Pollachi Municipality
Palakkad Road
Pollachi 642 001.

.. Respondents

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Prayer: Petition filed under Article 226 of the Constitution of India seeking a writ of Mandamus directing the respondents to remove the unauthorised constructions/encroachments in and around Pollachi Municipality as per the directions passed in W.P.No.3995 of 2019.

For the Petitioner : Ms.R.Sripriya

For the Respondents : Mr.P.Muthukumar
State Government Pleader
Assisted by
Mr.K.M.D.Muhilan
Additional Government Pleader
for Respondents 1 to 3

Mr.B.Anand
Standing Counsel
for Respondent-4

ORDER

(Made by the Hon'ble Chief Justice)

We have heard Ms.R.Sripriya, learned counsel for the petitioner, Mr.P.Muthukumar, learned State Government Pleader, assisted by Mr.K.M.D.Muhilan, learned Additional Government Pleader for the respondents 1 to 3 and Mr.B.Anand, learned Standing Counsel for the fourth respondent.



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2. The Commissioner, Pollachi Municipality has submitted a status report. It is stated that action has been taken from 01.01.2021 to 20.9.2023 against all unauthorised/deviated constructions and buildings constructed without proper permission from Municipality. Till now, owners of 69 buildings have been prosecuted, fined and notices were issued to the occupants of 488 unauthorised and 63 deviated buildings. So far, 4 building owners have rectified the violations in their buildings and obtained permission from the office of the Joint Director of Town and Country Planning, Coimbatore.

3. The Police Department also requested to provide security in order to lock and seal 3 buildings that had violated the building Rules. However, due to Vinayagar Chaturthi celebrations, they were unable to provide security. Therefore, it is decided to lock and seal the above 3 buildings on 27.09.2023. It is further stated that notices have been issued to 7 violated buildings and also action is being taken against all such unauthorised/deviated constructions as per the building Rules.



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4. In view of the fact that steps are being undertaken by the Municipality, we are not passing any further orders.

5. If, in future, the Municipality is not implementing or taking steps to remove the unauthorised construction, then, the petitioner may approach afresh.

6. The writ petition is disposed of. There will be no order as to costs. Consequently, W.M.P.Nos.19517 and 27208 of 2023 are closed.

(S.V.G., CJ.)

(P.D.A., J.)

26.09.2023

Index : Yes/No
Neutral Citation : Yes/No

kpl

To

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THE HON'BLE CHIEF JUSTICE
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P.D.AUDIKESAVALU, J.

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